1 2				E COTTONWOOD HEIGHTS CITY G COMMISSION MEETING
3 4	Wednesday, December 5, 2012			
5	6:00 p.m. Cottonwood Heights City Council Room			
6	1265 East Fort Union Boulevard, Suite 300			
7 8	Cottonwood Heights, Utah			
9			Con	onwood Heights, Otan
10	ATTE	NDAN	VCE	
11		. ~		CN C M
12	Planning Commission Members:		ommission Members:	City Staff:
13 14	Perry Bolyard, Chair			Brian Berndt, Community/Economic Development Dir
15	Lindsay Holt			Larry Gardner, Planner
16	James S. Jones			Shane Topham, City Attorney
17	Jeremy D. Lapin, P.E.			Kory Solorio, Deputy City Recorder
18	Ed Ogilvie			Planning Technician, Mike Johnson
19	Dennis Peters			
20				
21	Others Present:			
22	Steven Deng, Youth City Council Representative			
23	Scout Troop 709			
24				
25	BUSINESS MEETING			
26	4.0	****		
27	1.0	WEL	<u>.COME/ACKNOWLEDG</u>	<u> GEMENTS – Chair Bolyard.</u>
28	Chair Dalward called the masting to order at 6.20 mm			
29	Chair Bolyard called the meeting to order at 6:30 p.m.			
30 31	2.0	CITI	ZEN COMMENTS	
32	2.0	CIII	ZEN COMMENTS	
33	There were no citizen comments.			
34	THEIC	W CIC II	to citizen comments.	
35	3.0	PUB	LIC HEARINGS	
36	2.0	100	<u> </u>	
37		3.1	(Project #WT-12-008)	Public Comment on a Request from Technology
38				nd Add to Existing Rooftop AT&T Wireless Antenna
39				ee Building Located at 7050 South Highland Drive.
40				
41	(18:31	:32) C	hair Bolyard opened the pr	ublic hearing. There was no public comment. The public
42	hearing was closed.			
43				
44		3.2		Public Comment on a Request from T-Mobile to Install
45				<b>Equipment at Butler Middle School Located at 7350</b>
46			South 2700 East.	
47				

(18:32:50) Chair Bolyard opened the public hearing.

Planner Larry Gardner pointed out that the area where the monopole will be constructed is within the Public Facility (PF) Zone. There was some confusion among those who thought it was in a Residential Zone. The proposed location was identified on a map displayed with the overall site being nearly 33 acres in size. The school district and T-Mobile were now proposing a new location and would like to relocate the monopole to be adjacent to the Skate Park and the LDS Church parking lots. The new proposed location moves the monopole further from residences with the closest being condominiums located approximately 470 feet to the east. One of the reasons the original site was proposed was due to the screening of a large group of trees. A rendering was displayed showing what the area will look like upon completion.

Mr. Gardner stated that because of the change, new plans will need to be drawn up by the applicant. The applicants were willing to entertain a stealth facility that the Planning Commission feels is appropriate for the site. Some Commissioners felt that trying to disguise a cell phone tower makes it more obvious while others feel that cell phone towers are always unattractive.

Mr. Gardner reported that the applicants propose to locate the antenna array as close as possible to the pole rather than away from it. All of the antennas on the current Butler Middle School, which is to be torn down, and the antennas for T-Mobile and Clearwire will be placed onto one pole. It was questioned why the antennas would not be mounted on the new school. It was reported that the low building height prohibited that. Both sites were determined to meet the current ordinance.

(18:39:20) T-Mobile Representative Cole Shutjer stated that Clearwire does not yet have a representative in the market but he is working with them and is aware of their intent. In response to a question raised, Mr. Shutjer stated that no thought was given to locating the monopole on the Recreation Center since T-Mobile and Clearwire have a long-term lease with the school district. When the rebuild became a factor they recognized that it would be necessary to relocate elsewhere on school district property in order keep the terms of the lease.

Mr. Shutjer reported that when they approached the school district about relocating, they were given various options. The first was to locate on the north side of the property which was part of the original proposal. The second was to place it due south and very close to residential which was determined to be inappropriate. They pursued the design of the north location and made a determination to move forward. They quickly recognized the uniqueness of the property. While it is a large piece of property, it is a community-used facility and there is a long-term agreement with the County to share it. They desired more involvement in the decision-making process than they normally would and sought feedback from additional members of the district. The intent was to move the monopole further from foot traffic and closer to vehicular traffic. After some study, it was determined that the new proposed location would be best for the entire community considering the joint use of the facility as it exists.

Commissioner Holt asked if stealthing was proposed with the new location. Mr. Shutjer responded that the original application did not provide for stealthing other than the flush-mounted antennas being placed close to the pole. It was brought to the applicant's attention that they should be open to Planning Commission input on stealth at that location. Possible pole features and foot traffic issues were discussed.

1 2

(18:48:43) Canyons School District Facilities Director Rick Conger apologized to the Planning Commission for the inconvenience of the proposed change and stated that the school district welcomes the opportunity for the cell towers, which provide great revenue to schools. A change was recently generated in the school district with respect to the towers in that part of the revenue generated is to be distributed to all of the schools. Mr. Conger explained that when the request was originally proposed, ideas were shared with a district employee and an architect who were charged with finding the best possible location. At that point the options had not yet been presented to any other district personnel. The original proposed location impeded the main access from Butler Middle School. Mr. Conger explained that through the Recreation Center there is a very narrow area that serves as a main public thoroughfare. That was of concern to the school district, the recreation center, and the community at large. The decision was then made to consider other alternatives. The best one on the site was determined to be near the south property line. It was noted that in the future, the area can be redesigned. As a result, they were able to make the distances and heights work.

Cottonwood Heights Parks and Recreation Service Area Director Mike Peterson stated that the Service Area is a special service district that owns and manages the recreation center, the skate park and the green space behind the new middle school. He applauded the school district for being sensitive to their concerns about placing the pole in the original location, which they believe would have been very problematic. Mr. Peterson expressed support for the new proposed location.

Kay Lecheminant stated that the original location was very close to her home. She stated that studies have shown that people living near cell towers have a three times greater incidence of breast, prostate, pancreatic, bowel, skin melanoma, blood, and lung cancers. Much of this has to do with the intensity and distance of the microwave range. Ms. Lecheminant also reported that the World Health Organization has indicated that emissions from cell towers are categorized in human carcinogen group 2b, which is the same as engine exhaust and chloroform and heightens the risk of brain tumors. She was concerned that as a result of the tower she and her family will be at constant risk. Ms. Lecheminant also noted that other reports have indicated that there are no safe levels of radiation and that incidents of brain cancers have increased by 25% since 1973. While Ms. Lecheminant realized that cell service is necessary, it seemed to her that the first alternative was a very poor choice. She considered monopoles to be very unsightly and as a realtor they detract potential buyers. She expressed concern about property values and did not think the negative impact justifies the monetary gain that the schools and other public entities will derive.

Scott Bracken thanked the Planning Commission for the work they do. He personally liked the location change even though it places it closer to his home. He also liked the monopole design. Considering the demographics and foot traffic, he thought the move was warranted.

There were no further public comments. The public hearing was closed.

### 4.0 <u>ACTION ITEMS</u>

#### 4.1 Action on Adoption of Gateway Overlay Design Guidelines.

 (19:02:50) Mr. Gardner reported that the design guidelines have been in the ordinance for a number of years and are used by the Architectural Review Commission (ARC) in the Gateway Overlay areas of the City, which are mainly along Highland Drive, Fort Union Boulevard, and near the mouths of the Canyons. The intent of the design guidelines is to establish criteria for the minimal allowable type of building, new construction or reconstruction of buildings in those areas in order to enhance the City's gateway areas. The design guidelines are a tool that will be used by the ARC to enhance the gateway areas of the City. They can also be used by the Planning Commission in their site plan review of any of the buildings in a Gateway Overlay Zone.

Commissioner Jones moved to recommend that the City Council adopt the guidelines as written by staff. Commission Holt seconded the motion. Vote on motion: Jeremy D. Lapin-Aye, Ed Ogilvie-Aye, Dennis Peters-Aye, James S. Jones-Aye, Lindsay Holt-Aye, Chair Perry Bolyard-Aye. The motion passed unanimously on a row call vote.

Gratitude was expressed to the Architectural Review Commission and staff for their efforts in drafting the guidelines.

## 4.2 <u>Action on a Proposed Text Amendment to Chapter 19.35 (Residential Office)</u> <u>Adding a Section for Regulating Signs.</u>

(19:07:06) Commissioner Lapin expressed concern about the size of monument signs. Commissioner Holt suggested they be subject to a conditional use permit at which time the size and building materials can be reviewed. City Attorney Shane Topham suggested the Commission establish a maximum size of monument sign recognizing that that may be what they end up with most of the time. It was reported that monument signs typically have two parts. One is the portion that supports the sign and the other is the sign itself. What was being considered was the entire structure. If the smaller option is chosen it must include not only the sign itself but also the support portion of the sign and measure from the ground up. Measurement issues were discussed.

Commissioner Ogilvie moved to recommend approval of the proposed text amendment to Chapter 19.35. Commissioner Jones seconded the motion. Vote on motion: Jeremy D. Lapin-Aye, Ed Ogilvie-Aye, Dennis Peters-Aye, James S. Jones-Aye, Lindsay Holt-Aye, Chair Perry Bolyard-Aye. The motion passed unanimously on a row call vote.

# 4.3 (Project #SD 12-001) Action on a Request from Jeff Horsley to Subdivision 3.75 Acres of Property into Three Lots Located at Approximately 2230 East 7800 South.

(19:12:40) Commissioner Holt moved to approve Project Number SD 12-001, a request to subdivide 3.75 acres at approximately 2230 East 7800 South. Commissioner Jones seconded the motion. Vote on motion: Jeremy D. Lapin-Aye, Ed Ogilvie-Aye, Dennis Peters-Aye, James S. Jones-Aye, Lindsay Holt-Aye, Chair Perry Bolyard-Aye. The motion passed unanimously on a roll call vote.

### 4.4 Action Taken to Adopt a 2013 Meeting Calendar.

 (19:15:10) The Planning Commission Meeting Schedule was reviewed. It was recommended that the January 2 and July 3 meetings be cancelled and additional meetings scheduled for February 20 and August 21. It was suggested that the two meetings be eliminated and if there is a need for additional meetings they be scheduled at that time. Chair Bolyard suggested that meeting dates be changed for July rather than do away with the meeting altogether.

Commissioner Peters moved to accept the Planning Commission Meeting Calendar for 2013 with the exception of the January 2 and July 3 Meetings, which were eliminated. Commissioner Holt seconded the motion. Vote on motion: Jeremy D. Lapin-Aye, Ed Ogilvie-Aye, Dennis Peters-Aye, James S. Jones-Aye, Lindsay Holt-Aye, Chair Perry Bolyard-Aye. The motion passed unanimously on a roll call vote.

### 4.5 **Approval of the November 7, 2012, Minutes.**

(19:17:32) Commissioner Ogilvie moved to approve the November 7, 2012, minutes. Commissioner Jones seconded the motion. Vote on motion: Jeremy D. Lapin-Aye, Ed Ogilvie-Aye, Dennis Peters-Aye, James S. Jones-Aye, Lindsay Holt-Aye, Chair Perry Bolyard-Aye. The motion passed unanimously on a roll call vote.

### 5.0 <u>ADJOURNMENT</u>

(19:18:20) Commissioner Peters moved to adjourn. The motion was seconded by Commissioner Jones and passed unanimously on a roll call vote. The Planning Commission meeting adjourned at 7:18 p.m.

Minutes approved: January 16, 2013